

AGENDA
LANCASTER COUNTY BOARD OF COMMISSIONERS
TUESDAY, FEBRUARY 21, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
1:30 P.M.

- 1) **MINUTES:** Approval of the minutes of the Board of Commissioners meeting held on Tuesday, February 14, 2006. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).
- 2) **CLAIMS:** Approval of all claims processed through Tuesday, February 21, 2006.
- 3) **NEW BUSINESS:**
 - A. An application for a Special Events Permit from Great Plains Bicycling Club to hold the Spring Fling Metric Century Bike Tour on Saturday, April 22, 2006, beginning at 9 a.m..
 - B. A resolution in the matter of approving the form of the Health Insurance Portability and Accountability Act (HIPAA) Notice of Privacy Practices used in connection with the Lancaster County Group Health Plan No. 4643. (R-06-0008)
 - C. A grant contract with the City of Lincoln, on behalf of the Lincoln Police Department, to provide funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic violence and dating violence, including assistance to such victims in immigration matters, in the amount of \$59,878. Term of the grant contract is January 1, 2006 to December 31, 2006. (C-06-0050)
 - D. A grant contract with the Hispanic Community Center to provide funding for the community-driven initiatives to address violence against women among diverse and traditionally under served populations while strengthening legal advocacy services for victims of domestic abuse and dating violence, in the amount of \$44,063. Term of the grant contract is January 1, 2006 to December 31, 2006. (C-06-0051)

**THOSE WISHING TO SPEAK ON ITEMS SPECIFIC TO TODAY'S AGENDA ARE
ASKED TO DO SO WHEN THE ITEM IS CALLED BY THE COUNTY CLERK.
EACH SPEAKER IS LIMITED TO FIVE (5) MINUTES.**

3) **NEW BUSINESS CONTINUED:**

- E. A contract with Brandt Excavating, in the amount of \$136,407.19, for erosion control at various box culverts and bridges within Lancaster County; Project 06-25. The work will begin on March 27, 2006 and be completed by September 1, 2006. (C-06-0052)
- F. A grant contract with Lutheran Family Services of Nebraska, Inc. for a part-time job retention case manager for the Heartland Refugee Resettlement program, in the amount of \$25,000. Term of the grant contract is December 1, 2005 through November 30, 2006. (C-06-0053)
- G. Harvest Project contract with the Lincoln Area Agency on Aging (LAAA) for the provision of mental health, substance abuse and aging services to elderly residents of Lancaster County. LAAA will provide Specialized Care Managers to work 40 hours per week to assist in the provision of the services. The County will pay \$50,000 for the services. Term of the contract is July 1, 2005 and ends June 30, 2006. (C-06-0054)
- H. An agreement between Lancaster County and CenterPointe for the services of a program director and a case manager for the Partners in Empowerment and Recovery (PIER) program. Term of the agreement is July 1, 2005 through June 30, 2006. CenterPointe will pay the County \$137,834.50 for the services. (C-06-0055)
- I. An interlocal agreement between Lancaster County and the City of Lincoln for the adoption of right-of-way and construction standards for unimproved county roads located with the three-mile zoning jurisdiction of the City of Lincoln classified as rural principal arterial, rural minor arterial, rural major collector and rural minor collector in the Lincoln-Lancaster County Comprehensive Plan. The agreement will commence upon execution by both parties and remain in effect until such time as it is terminated. The County will pay the cost of right-of-way and easement acquisition, and design and construction costs for grading the road to its full width, installing urban culverts and rural paving. (C-06-0060)

3) **NEW BUSINESS CONTINUED:**

- J. Amendment No. 1 to the Network Provider contract with the Regional Behavioral Health Authority (Region V), under County Contract No. C-05-0604, for the provision of certain mental health, alcoholism, substance abuse and related behavioral mental health services at the Community Mental Health Center. The amendment decreases the amount that the County will be reimbursed from \$4,639,362 to \$4,578,773. (C-06-0061)
- K. Keno Human Services Prevention Fund Grant recommendations to award grants to the following agencies from the Keno Prevention Fund: Bright Lights, Inc., in the amount of \$805; Heartland Big Brothers/Big Sisters, in the amount of \$3,750; Kiwanis Club of Lincoln, in the amount of \$1,875; YWCA of Lincoln, in the amount of \$1,875; Human Services Federation (MTI Leadership Team), in the amount of \$7,500; Indian Center, Inc., in the amount of \$6,000; Lancaster County Medical Society, in the amount of \$5,670; Lincoln Literacy Council, in the amount of \$7,500 and Lincoln Medical Education Partnership, in the amount of \$7,500.
- L. Request from Kit Boesch, Human Services Administrator, for a one-time award, in the amount of \$792.80, for Corey Steel due to exceptional circumstances.
- M. Request from Mary Stoughton Wenzl for attorney's fees, in the amount of \$214.75, for recovery of Social Security disability benefits for Kimberly D. Nash and for recovery of such benefits for Melissa Marie Simmons, in the amount of \$187.62, pursuant to County Resolution No. 4630.
- N. A political subdivision tort claim filed against Lancaster County by Cynthia Mahlin, in an unspecified amount, for property damages allegedly caused by the negligence in design and construction and/or maintenance of the following County roads: West Arabian Road, Equestrian Drive and West Stirrup Drive.
- O. A political subdivision tort claim filed against Lancaster County by Richard Wagner, Mike Behringer and Kyle Mahlin for personal injury and property damages allegedly caused by the negligence in design and construction and/or maintenance of a County road, in an unspecified amount.
- P. A political subdivision tort claim filed against the Lancaster County Corrections Department by Jerome Davis for alleged assault and battery, in the amount of \$100,000.
- Q. Appointment of Reverend Jeffrey Bloom to the Lancaster Manor Advisory Committee.

4) **CONSENT ITEMS:** These are items of business that are routine which are expected to be adopted without dissent. Any individual item may be removed for special discussion and consideration by a Commissioner or by any member of the public without prior notice. Unless there is an exception, these items will be approved as one with a single vote of the Board of Commissioners. These items are approval of:

A. Receive and Place on File:

1. Weed Control Authority's Monthly Report for January, 2006.
2. Weed Control Authority's Monthly Report for the Combined Weed Program with the City of Lincoln for January, 2006.

B. Requests from the following individuals to voluntarily participate in the Lancaster County Retirement Plan having met the requirements:

- ▶ Naza Cerimagic (Lancaster Manor)
- ▶ Cristina Sassman (Lancaster Manor)
- ▶ Amira Sulejmanovic (Lancaster Manor)
- ▶ Mamie T. Wolde (Lancaster Manor)

C. Right-of-way contracts relating to road improvements between the Lancaster County Engineering Department and the following individuals:

- ▶ Owen L. Goodenkauf, in the total amount of \$2,479.66, on West "A" Street from Southwest 84th Street to the Burlington Northern Sante Fe Railroad; Project C55-M-405(1). (2 contracts) (C-06-0056 and C-06-0057)
- ▶ Garnett Nalley, in the total amount of \$1,529, on West "A" Street from Southwest 84th Street to the Burlington Northern Sante Fe Railroad; Project C55-M-405(1). (2 contracts) (C-06-0058 and C-06-0059)

5) **EMERGENCY ITEMS AND OTHER BUSINESS:**

6) **ANNOUNCEMENTS:**

A. The Lancaster County Board of Commissioners will hold a Staff Meeting on Thursday, February 23, 2006 beginning at 8:30 a.m. in Room 113 located on the first floor of the County-City Building.

B. A public hearing will be held on Tuesday, February 28, 2006 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding an application for a Class D (Spirits, Wine, Beer Off Sale Only) liquor license for Casey's Retail Company d/b/a Casey's General Store #2721 (formerly Gas 'N Shop), located at 4003 West Highway 34 and an application for Corporate Manager for Sharon Kay Nelson Scusa in connection with said license application.

6) **ANNOUNCEMENTS CONTINUED:**

- C. The following public hearings were continued to Tuesday, February 28, 2006 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building:
1. County Change of Zone No. 05079, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Alan Baade, on property generally located northwest of South 82nd Street and Roca Road in Lancaster County, Nebraska. (Hearing was continued to February 28, 2006 at the request of applicant.)
 2. County Preliminary Plat No. 05017, Red Cedar Ridge, requested by Lyle Loth of ESP on behalf of Alan Baade, owner, on property generally located northwest of South 82nd Street and Roca Road in Lancaster County, Nebraska. (Hearing was continued to February 28, 2006 at the request of applicant.)
- D. A public hearing will be held on Tuesday, March 7, 2006 at 1:30 p.m. in the County Commissioners Hearing Room, Room 112, on the first floor of the County-City Building regarding the automatic renewal of retail liquor and beer licenses issued in Lancaster County and outside the corporate limits of any city, pursuant to Resolution No. R- 00-148, adopted December 12, 2000, for which the County Clerk has received no protests.
- E. The Lancaster County Board of Commissioners meeting which is broadcast live at 1:30 p.m. on Tuesdays will be rebroadcast tonight at 6:30 p.m. and again on Saturday afternoon on 5 City-TV, Cable Channel 5. In addition, this meeting may be viewed on the Internet 24 hours a day at <http://www.lancaster.ne.gov>. Click on 5 City-TV Video On Demand.

7) **PENDING:**

- A. Public hearing regarding County Change of Zone 04053, from AG Agricultural District to AGR Agricultural Residential District, requested by Mark Hunzeker on behalf of Wapiti Enterprises, Inc., on property generally located at the southeast corner of Southwest 40th Street and Rokeby Road in Lancaster County, Nebraska. (Placed on pending September, 2004.)
- B. County Change of Zone 04074, from AG Agricultural District to AGR Agricultural Residential District, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)

7) **PENDING CONTINUED:**

- C. County Special Permit 04058, Lakewood Hills Community Unit Plan, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage units, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- D. County Preliminary Plat 04028, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- E. County Final Plat 04126, Lakewood Hills, requested by Lyle Loth of ESP on behalf of Robert E. Lookabaugh, for nine residential acreage lots, on property generally located at North 84th Street and Agnew Road in Lancaster County, Nebraska. (Placed on pending January, 2005.)
- F. A resolution regarding the creation of a joint public agency as provided by the Joint Public Agency Act with the participation of the County of Lancaster and the City of Lincoln. The Joint Public Agency is being created to provide for the design, acquisition of land and construction of improvements for the Rural to Urban Roadway Transition Streets Program (RUTS) and the design and acquisition of land for the East Beltway. (R-05-0109) (Placed on pending September, 2005.)
- G. Vacation of a portion of South 162nd Street located in the Southwest Quarter of Section 26, Township 9 North, Range 8 East, of the 6th P.M., in Lancaster County, Nebraska. (Placed on pending October, 2005.)
- H. A resolution in the matter of County Change of Zone No. 05063, from AG Agricultural District to AGR Agricultural Residential District, requested by Steven Schmidt, on property generally located southeast of the corner of North 105th Street and Alvo Road/Highway 34 in Lancaster County, Nebraska. (R-05-0140) (Placed on pending November, 2005.)
- I. A resolution in the matter of County Final Plat No. 05094: Wyndam Place 2nd Addition, consisting of two lots and one outlot on property generally located at North 176th and Holdrege Streets, and more specifically Knotting Drive and North 179th Street, in Lancaster County, Nebraska. (R-05-0152) (Placed on pending February, 2006.)
- J. A subdivision agreement with Bernie and Connie Heier, for County Final Plat No. 05094, Wyndam Place 2nd Addition, on property generally located at North 176th and Holdrege Streets, more specifically Knotting Drive and North 179th Street in Lancaster County, Nebraska. (C-05-0575) (Placed on pending February, 2006.)

8) **ADJOURNMENT:**

This agenda, which is kept continually current, is available for inspection in the office of the County Clerk in Lancaster County, Nebraska.

NOTE: Interpreters for the hearing impaired are available at the meetings of the County Board upon request. Please contact the County Clerk's Office at 441-7481 at least 48 hours prior to the meeting if this accommodation is required, or if you have any other special communication needs requiring assistance. Telex Sound Masters are also available for audio enhancement during the meeting.

IF YOU ARE HERE TO PARTICIPATE ON AN ITEM AND NEED SPECIAL CONSIDERATION BECAUSE OF A SCHEDULE CONFLICT OR SOME OTHER PROBLEM, PLEASE LET THE CLERK KNOW PRIOR TO THE MEETING SO WE MAY ACCOMMODATE YOUR NEEDS.

The Board of Commissioners agenda and minutes may be accessed on the Internet at <http://www.lancaster.ne.gov> on the County Clerk's website.

AGENDA
LANCASTER COUNTY BOARD OF EQUALIZATION
TUESDAY, FEBRUARY 21, 2006
COUNTY COMMISSIONERS HEARING ROOM, ROOM 112
FIRST FLOOR, COUNTY-CITY BUILDING
IMMEDIATELY FOLLOWING THE REGULAR BOARD OF COMMISSIONERS
MEETING

- 1) **MINUTES:** Approval of the minutes of the Board of Equalization meeting held on Tuesday, February 14, 2006. (A copy of these minutes is on file in the office of the Lancaster County Clerk or can be accessed at <http://www.lancaster.ne.gov>).

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- 2) **ADDITIONS AND DEDUCTIONS:**

Approval of 300 additions and deductions to the tax assessment rolls per Attachment "A".

- 3) **MOTOR VEHICLE TAX EXEMPTIONS:**

Bethlehem Covenant Church
CenterPointe, Inc.
Christ's Place
Gates of Praise
Indian Center, Inc.
Temple Baptist Church
Villa Marie School

- 4) **ADJOURNMENT:**

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